



**The Commonwealth of Massachusetts**  
**DEPARTMENT OF**  
**TELECOMMUNICATIONS AND ENERGY**

NOTICE OF FILING AND PUBLIC HEARING

D.T.E. 03-112

Petition of Boston Edison Company d/b/a NStar Electric for approval of asset divestiture.

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On October 31, 2003, pursuant to G.L. c. 164, § 1A(b)(1) and the terms of the restructuring plan approved by the Department of Telecommunications and Energy ("Department") in Boston Edison Company, D.P.U./D.T.E. 96-23 (1998), Boston Edison Company d/b/a NStar Electric ("BECo" or "Company") filed a petition for approval of an asset divestiture ("Petition"). The Petition concerns the sale of BECo's interests in the land located off Vine and LaGrange Streets principally in the City of Newton, Massachusetts for \$15.1 million. This matter was docketed as D.T.E. 03-112.

The Department will conduct a public hearing to receive comments on the Petition. The hearing will take place on **Wednesday, December 3, 2003** at 11:00 a.m. at the Department's offices, One South Station - 2<sup>nd</sup> Floor, Boston, Massachusetts 02110. A procedural conference will take place immediately following the public hearing. Any person who desires to comment may do so at the public hearing or submit written comments to the Department not later than the close of business (5:00 p.m.) on Wednesday, December 3, 2003.

Any person who desires to participate in the evidentiary phase of this proceeding must file a written petition for leave to intervene with the Department not later than the close of business on **Tuesday, December 2, 2003**. A petition for leave to intervene must satisfy the timing and substantive requirements of 220 C.M.R. § 1.03. Receipt by the Department, not mailing, constitutes filing and determines whether a petition has been timely filed. A petition filed late may be disallowed as untimely, unless good cause is shown for waiver under 220 C.M.R. § 1.01(4). To be allowed, a petition under 220 C.M.R. § 1.03(1) must satisfy the standing requirements of G.L. c. 30A § 10.

An original and five (5) copies of all written comments or petitions to intervene must be filed with Mary L. Cottrell, Secretary, Department of Telecommunications and Energy, One South Station - 2<sup>nd</sup> Floor, Boston, Massachusetts 02110 not later than the close of business on the dates noted above. One copy of all written comments or petitions to intervene should also be sent to the Company's attorney, David S. Rosenzweig, c/o Keegan, Werlin & Pabian, LLP, 21 Custom House Street, Boston, Massachusetts 02110.

All written comments or petitions to intervene should also be submitted to the Department in electronic format using one of the following methods: (1) by e-mail attachment to [dte.efiling@state.ma.us](mailto:dte.efiling@state.ma.us); or (2) on a 3.5" disk, IBM-compatible format. The text of the e-mail or the disk label must specify (1) the docket number of the proceeding (D.T.E. 03-112), (2) name of the person or company submitting the filing, and (3) a brief descriptive title of the document. The electronic filing should also include the name, title and phone number of a person to contact in the event of questions about the filing. Text responses should be written in either Corel Word Perfect (naming the document with a ".wpd" suffix), in Microsoft Word, (naming the document with a ".doc" suffix) or as an Adobe PDF file (naming the document with a ".pdf" suffix). Data or spreadsheet responses should be compatible with Microsoft Excel. All comments submitted in electronic format will be posted on the Department's web site: <http://www.mass.gov/dpu>.

The Company's Petition may be inspected at the Department's offices during normal business hours (Monday through Friday, 9:00 a.m. to 5:00 p.m.). A copy of the petition is also available on the Department's website. Any person desiring further information regarding the Petition should contact the Company's attorney, David S. Rosenzweig, at (617) 951-1400. Any person desiring further information regarding this notice should contact Kevin Penders, Hearing Officer, Department of Telecommunications and Energy, at (617) 305-3500.



# The Commonwealth of Massachusetts

## DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY

### ORDER OF NOTICE

Boston Edison Company d/b/a NStar Electric ("BECo" or "Company") shall, no later than fourteen (14) days prior to Wednesday, December 3, 2003, publish the attached Notice of Filing and Public Hearing either in the Boston Globe or the Boston Herald. The Company shall also serve a copy of the notice on the Chairmen, Board of Selectmen, Mayors, Town Clerks, and City Clerks of the cities and towns in the Company's service area, provide actual notice to any person who has filed a request for notice with the Company, and provide a copy of this notice to all participants in Boston Edison Company, D.P.U./D.T.E. 96-23 (1998). The Company shall make return of service and publication at the time of the public hearing.

By Order of the Department,

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Mary L. Cottrell, Secretary